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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>095309.56879US</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/01518</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/552,140</b>	
INTERNATIONAL FILING DATE <b>February 18, 2004</b>		PRIORITY DATE CLAIMED <b>April 9, 2003</b>	
TITLE OF INVENTION <b>METHOD FOR OPERATING A COMPRESSION-IGNITION INTERNAL COMBUSTION ENGINE</b>			
APPLICANT(S) FOR DO/EO/US <b>Uwe GAERTNER</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.			
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.			
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.			
4. <input type="checkbox"/> The US has been elected (Article 31).			
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> Is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>			
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul>			
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul>			
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (One (1) page).			
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
<b>Items 11 to 20 below concern document(s) or information included:</b>			
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input type="checkbox"/> A preliminary amendment.			
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.			
15. <input type="checkbox"/> A substitute specification.			
16. <input type="checkbox"/> A power of attorney and/or change of address letter.			
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.			
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).			
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).			
20. <input checked="" type="checkbox"/> Other items or information: A copy of the Notification of Missing Requirements dated July 26, 2006; Reply to Notice To File Missing Requirements, including a copy of the Preliminary Amendment filed 10/07/2005, as well as the Return Date Stamped Post-Card evidencing same.			

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/552,140		PCT/EP2004/01518		095309.56879US	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21.	<input type="checkbox"/>	Basic national fee (37 C.F.R. §1.492(a)).....		\$300.00	
22.	<input type="checkbox"/>	Examination fee (37 C.F.R. §1.492(c))			
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$0.00	
All other situations .....				\$200.00	
23.	<input type="checkbox"/>	Search fee (37 C.F.R. §1.492(b))			
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....				\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....				\$400	
All other situations .....				\$500	
TOTAL OF 21, 22 AND 23 =					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100	/ 50 =			x 250	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20		x 50		
Independent claims	- 3		x 200		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 360		
TOTAL OF ABOVE CALCULATIONS =					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).....				+	
TOTAL NATIONAL FEE =					
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property .....				+	
TOTAL FEES ENCLOSED =					
09/29/2006 LLANDGRA 00000012 051323 10552140				Amount to be refunded:	\$
01 FC:1615 50.00 DA				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 05-1323 (Attorney Docket No. 095309.56879US) in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-1323 (Attorney Docket No. 095309.56879US). A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Crowell & Moring, LLP			SIGNATURE		
Intellectual Property Group			NAME		
P.O. Box 14300			31,824		
Washington, D.C. 20044-4300			REGISTRATION NUMBER		
Tel. No. (202) 624-2500			September 26, 2006		
Fax No. (202) 628-8844			DATE		
GRE/stw (doc no. 2856207v1)					



## UNITED STATES PATENT AND TRADEMARK OFFICE

5687905

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,140	Uwe Gaertner	095309.56879US

INTERNATIONAL APPLICATION NO.
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PCT/EP04/01518

I.A. FILING DATE	PRIORITY DATE
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02/18/2004

04/09/2003

23911  
CROWELL & MORING LLP  
INTELLECTUAL PROPERTY GROUP  
P.O. BOX 14300  
WASHINGTON, DC 20044-4300

CONFIRMATION NO. 7187

371 FORMALITIES LETTER



\*OC000000019757015\*

*Missing Requirements*  
*9/26/06*

Date Mailed: 07/26/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/07/2005
- English Translation of the IA filed on 10/07/2005
- Copy of the International Search Report filed on 10/07/2005
- Preliminary Amendments filed on 10/07/2005
- Information Disclosure Statements filed on 10/07/2005
- Copy of references cited in ISR filed on 10/07/2005
- U.S. Basic National Fees filed on 10/07/2005
- Substitute Specification filed on 10/07/2005
- Specification filed on 10/07/2005
- Claims filed on 10/07/2005
- Abstracts filed on 10/07/2005
- Drawings filed on 10/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$50 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$50** for a Large Entity:

- Total additional claim fee(s) for this application is **\$ 50**
  - **\$50** for 2 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,140	PCT/EP04/01518	095309.56879US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/552,140 Confirmation No. : 7187  
First Named Inventor : Uwe GAERTNER  
Filed : October 7, 2005  
TC/A.U. : (To Be Assigned)  
Examiner : (To Be Assigned)  
Docket No. : 095309.56879US  
Customer No. : 23911  
Title : Method for Operating a Compression-Ignition Internal  
Combustion Engine

**REPLY TO NOTICE TO FILE MISSING REQUIREMENTS**

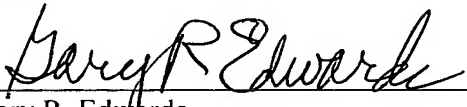
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants undersigned attorney notes that a check (Check No.: 290182) in the amount of \$1,080.00 was submitted with the original application filing fee on October 7, 2005, which included the additional claims fee of \$50.00. A courtesy copy of the Preliminary Amendment which accompanied the original filing of October 7, 2005, as well as a copy of the return date stamped postcard evidencing filing of this Preliminary Amendment is attached herewith. We note that the Preliminary Amendment includes twenty-one (21) total claims and three (3) independent claims.

Respectfully submitted,

September 26, 2006

  
\_\_\_\_\_  
Gary R. Edwards  
Registration No. 31,824

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Intellectual Property Group  
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GRE:stw:alw  
Dn#2856431v1

Crowell & Moring LLP

Today's Date: October 7, 2005

FILED WITH FEES UNDER 35 U.S.C. § 371

Attorney Docket: 095309.56879US

First Named Inventor: Uwe GAERTNER

Serial No.

Filing Date: October 7, 2005

**10/552140**

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- X Transmittal Letter to the United States-DO/EO/US (35 USC § 371) with Check No. 290182 in the amount of \$1,080.00 (PCT Fees, Surcharge and Additional Claims Fee)
- X Application Data Sheet
- X Form PCT/IB/308
- X English Translation of International Application, including 11 Claims and Abstract (20 pages)
- X Four (4) Sheets of Drawings Showing Figures 1-8
- X Preliminary Amendment
- X Substitute Specification and Marked-up Copy thereof
- X Information Disclosure Statement, International Search Report, PTO-1449 and 3 non-US references
- X Forms PCT/IB/301 and PCT/IB/304
- X Copy of first page of International Application (WO 2004/090311 A1)

GRE:kms

DUE DATE: October 9, 2005

399799v1

**JC04 Rec'd PCT/PTO 07 OCT 2005**